

JULIAN HAMMOND (SBN 268489)
jhammond@hammondlawpc.com
POLINA BRANDLER (SBN 269086)
pbrandler@hammondlawpc.com
ARI CHERNIAK (SBN 290071)
acherniak@hammondlawpc.com
HAMMONDLAW, P.C.
1201 Pacific Ave, 6th Floor
Tacoma, WA 98402
(310) 601-6766 (Office)
(310) 295-2385 (Fax)

FRANK S. HEDIN (SBN 291289)
fhedin@hedinllp.com
HEDIN LLP
1395 Brickell Ave, Suite 610
Miami, Florida 33131
(305) 357-2107 (Office)
(305) 200-8801 (Fax)

Attorneys for Plaintiffs and the Putative Classes

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**JONATHAN HOANG TO; JEFFRY HEISE;
and JOSEPH MULL**, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

DIRECTTOU, LLC; and ALLIANCE
ENTERTAINMENT, LLC, Delaware Limited
Liability Companies,

Defendants.

Case No. 3:24-CV-06447-WHO

**DECLARATION OF JOSEPH MULL
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT'S
MOTION TO STAY AND COMPEL
ARBITRATION**

Judge: Hon. William H. Orrick
Courtroom: 2
Hearing: June 4, 2025
Time: 2:00 PM

1 I, Joseph Mull, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury and based
2 upon my own personal knowledge, that the following statements are true:

3 1. I am over 18 years of age and a resident of Arenzville, Illinois. I am one of the named
4 Plaintiffs and putative class representatives in the above-entitled action. I submit this declaration in
5 support of Plaintiffs' response to Defendants' motion to compel arbitration (the "Motion").

6 2. I have reviewed the Motion and the accompanying declaration of Tim Hinsley (the
7 "Hinsley Declaration"), as well as the exhibits attached to the Hinsley Declaration.

8 3. Between August 8, 2021 and August 8, 2024, I placed several orders to purchase
9 prerecorded video products from Movies Unlimited on the moviesunlimited.com website by checking
10 out and paying with PayPal, by clicking the PayPal payment image on the moviesunlimited.com
11 checkout system and then being directed to the PayPal website to login and remit my payment.

12 4. When I placed orders for prerecorded video products on the moviesunlimited.com
13 website using PayPal between August 8, 2021 and August 8, 2024, I was not presented with, informed
14 of the existence of, or required to sign or otherwise consent to be bound by any "Terms of Use," any
15 agreement to arbitrate, or any other terms, conditions, or agreements of any sort with Movies
16 Unlimited, any owner, operator, affiliate, or parent company of Movies Unlimited, or any other
17 person or entity. I never signed or otherwise expressed my consent to be bound by any such agreement
18 (and specifically, was never presented with the checkbox or disclosure statement shown in Exhibit 4
19 to the Hinsley Declaration) in connection with any of the orders I placed and paid for using PayPal
20 on the moviesunlimited.com website between August 8, 2021 and August 8, 2024.

21 5. I was not presented with, informed of the existence of, or required to sign or
22 otherwise consent to be bound by any of the documents titled "Terms of Use" attached as Exhibits 1-
23 3 to the Hinsley Declaration when I placed orders on the moviesunlimited.com website and paid using
24 PayPal between August 8, 2021 and August 8, 2024.

25 I hereby declare under penalty of perjury of the laws of the United States that the foregoing
26 statements are true and correct. Executed on April 7, 2025 at Arenzville, Illinois.

27 
28 Joseph Mull (Apr 7, 2025 15:41 CDT)
Joseph Mull